

STATEMENT OF FACTS

In August of 2007, a Confidential Witness approached the Muskingum County Sheriff's Office and the FBI in regards to a Zanesville Police Officer extorting money from the CW. The CW is an admitted drug dealer. The Zanesville PO, Sean Beck, demanded and received money from the CW in return for Beck not reporting the CW's drug activity. Beck also supplied the CW with narcotics to sell for Beck.

On August 22, 2007 the CW began to work in an undercover capacity for law enforcement. The CW was able to record Beck on a number of occasions discussing illegal activity. The CW also recorded a an incident where Beck provided the CW narcotics to sell on behalf of Beck.

On August 30, 2007 Beck contacted the CW to arrange a meeting. At the meeting Beck discussed a plan to set up an illegal drug shipment of one kilogram (cocaine)to the Zanesville, Ohio area so that Sean W. Beck could use his police authority to seize the drugs.

On September 18, 2007 Beck again contacted the CW to see if he was able to order up a kilo of cocaine from his supplier to be delivered to Zanesville. The CW told Beck that he was working on it. In reality the CW was working with law enforcement to formulate a safe plan to engage Beck in his plan.

On September 24, 2007 the CW, in undercover capacity, told

Beck that he was able to have his supplier deliver the kilo of cocaine. The CW would have to meet the supplier in Columbus so that he could give him \$2,500 advance and then the supplier would deliver it to Zanesville. Beck told the CW that he would have Chad Mills, and auxiliary Zanesville PO, drive the CW to Columbus, as the CW was recently injured.

On or about September 25, 2007 Beck solicited Chad Mills and Zanesville PO, Trevor Fusner to assist with Beck's plan to steal the kilo of cocaine from the CW's supplier. Both Fusner and Mills agreed in anticipation of receiving a portion of proceeds from the subsequent sale of the kilo of cocaine.

On September 25th Mills drove the CW to Columbus to meet with his supplier. Mills dropped off the CW at a Columbus hotel and waited in the car. The CW entered the hotel and gave FBI agents, acting as the CW's supplier, \$2,500.

Mills and the CW then drove back to Zanesville to meet with Beck and Fusner. All four met at the Mt. Calvary Cemetery in Zanesville, Ohio and planned to conduct a false police "raid" on the anticipated delivery of 1 kilogram of cocaine. At least some of the co-conspirators wore such items as undercover police clothing, bullet-proof vests, and "POLICE" t-shirts. Beck, Mills and FUSNER all had firearms.

During the meeting in the cemetery Beck, told Fusner to hide behind a tree on the hillside where he could see the drug transaction take place. When the drug supplier gave the kilo to

the CW, Fusner would signal Beck and Mills who would be waiting down the road. Beck would then drive his vehicle into the meet site, block in the drug supplier's car, and Beck, Fusner and Mills would draw their firearms and remove the CW and supplier. Once the kilo of cocaine was seized, Beck would tell the CW and supplier to leave town. Fusner and Mills agreed to this plan.

Because of the potential risk of the FBI actually delivering a kilogram of cocaine to the cometary, it was decided to have the CW tell Mills, Fusner and Beck that the deal fell through for that night.

On October 1, 2007 Beck, Fusner and Mills were arrested without incident. Both Fusner and Mills admitted their involvement in the conspiracy.